

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications)	
in the 800 MHz Band)	
)	
Consolidating the 900 MHz Industrial/Land)	WT Docket No. 02-55
Transportation and Business Pool Channels)	

To: The Commission

REPLY COMMENTS

The New Jersey Transit Authority (ANJ Transit@), through its attorneys and pursuant to Sections 1.415 and 1.419 of the rules, hereby files its Reply Comments in the above-referenced Notice of Proposed Rule Making to examine improvement of Public Safety Communications in the 800 MHz band. In support thereof, the following is shown:

1. As observed in its Comments filed in this proceeding, NJ Transit operates an extensive trunked 800 MHz Public Safety system which coordinates operation of the statewide public bus system serving New Jersey. This system was built at a cost of many millions of dollars. NJ Transit is vitally concerned that any substantial modification of the spectrum landscape allegedly in the interest of enhancing its operations not impose any costs, financial or otherwise, on it.

2. NJ Transit has reviewed comments filed by other interested parties in this proceeding. It is obvious from that review that there is widespread disagreement regarding the viability or efficacy of Nextel's proposal, the nature and scope of the interference problems as they relate to nationwide Public Safety operations and the

ultimate cost of any of the proposals before the Commission. Clearly, many parties oppose the Nextel proposal.¹ Various parties have also suggested that alternatives to massive restructuring of the 800 MHz band, such as careful application of best engineering practices and interference or channel swapping agreements between licensees, could effectively address interference problems.² There is no current consensus in the industry on key issues, and indeed, NJ Transit observes that the extended deadline for the filing of reply comments in this proceeding was predicated on various parties' representation that they are pursuing a "compromise proposal" for submission to the Commission.³ Under all of these circumstances, NJ Transit agrees with the observation of AMTA that the current record is inadequate to adopt specific solutions and that further technical evaluation is needed. At the bottom line, any changes to the rules requiring reconfiguration or modification of systems like that of NJ Transit should be undertaken only after careful and complete analysis of the issues and must guarantee continued efficient and effective operations in the public interest without imposing unfunded financial burdens on Public Safety licensees.

¹ See, e.g., Comments of Cinergy Corporation, Alltel, Cellular Telecommunications and Internet Association, City of Baltimore, Carolina Power & Light Company, Motient Communications, Inc., Verizon Wireless, United States Cellular Corporation, National Rural Telecommunications Cooperative, National Rural Electric Cooperative Association (NRECA).

² See, e.g., Comments of CTIA, Carolina Power & Light Company, American Mobile Telecommunications Association, Inc. (AMTA), Questar Corporation, National Rural Electric Cooperative Association, City of Portland.

³ See, "Order Extending Time for Filing of Reply Comments", DA-02-1523, released June 27, 2002.

WHEREFORE, for the foregoing reasons, NJ Transit urges the Commission to adopt rules and regulations consistent with the views expressed herein.

Respectfully submitted,

THE NEW JERSEY TRANSIT AUTHORITY

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